

## HOUSE BILL No. 1417

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-2.1-19.1-21; IC 34-6-2.1; IC 34-11-10; IC 34-12-4; IC 34-51-1-4.

**Synopsis:** Causes of action and damages. Prohibits a cause of action against a transportation network company (TNC) on a claim that arises from a TNC rider being injured by a TNC driver or during a TNC ride. Limits a civil cause of action concerning a public nuisance. Prohibits certain causes of action against a property owner, a business owner, or a third party business operator for a criminal act committed by another person: (1) on the property; (2) at the business; or (3) on a premises; owned by another person. Provides that noneconomic damages awarded in a civil suit may not be more than \$1,000,000.

**Effective:** July 1, 2026.

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## Lehman, Snow, Pressel

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January 8, 2026, read first time and referred to Committee on Judiciary.

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Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1417

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A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 8-2.1-19.1-21 IS ADDED TO THE INDIANA  
2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: Sec. 21. A TNC rider may not:

4 (1) maintain a cause of action against; or

5 (2) receive an award of damages from;

6 a TNC on a claim that arises from the TNC rider being injured by  
7 a TNC driver or during a TNC ride.

8 SECTION 2. IC 34-6-2.1-59.5 IS ADDED TO THE INDIANA  
9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2026]: Sec. 59.5. "Established public right",  
11 for purposes of IC 34-11-10, has the meaning set forth in  
12 IC 34-11-10-1.

13 SECTION 3. IC 34-6-2.1-132, AS ADDED BY P.L.186-2025,  
14 SECTION 176, IS AMENDED TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2026]: Sec. 132. "Noneconomic damages", for  
16 purposes of IC 34-30-29.2 and **IC 34-51-1-4**, has the meaning set forth  
17 in IC 34-30-29.2-2.



1           SECTION 4. IC 34-6-2.1-174.5 IS ADDED TO THE INDIANA  
2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: Sec. 174.5. "Public nuisance", for  
4 purposes of IC 34-11-10, has the meaning set forth in  
5 IC 34-11-10-1.

6           SECTION 5. IC 34-6-2.1-207.5 IS ADDED TO THE INDIANA  
7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2026]: Sec. 207.5. "Unlawful condition", for  
9 purposes of IC 34-11-10, has the meaning set forth in  
10 IC 34-11-10-1.

11          SECTION 6. IC 34-11-10 IS ADDED TO THE INDIANA CODE  
12 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2026]:

14           **Chapter 10. Limitations on a Public Nuisance Action**

15           **Sec. 1. The following definitions apply throughout this chapter:**

16           (1) "Established public right" means a right, commonly held  
17 by all members of the public, to the use of public land, air, or  
18 water.

19           (2) "Public nuisance" means an ongoing and unlawful  
20 condition that proximately causes an interference with an  
21 established public right.

22           (3) "Unlawful condition" means a circumstance that is  
23 expressly prohibited by state or federal law.

24           **Sec. 2. For purposes of this chapter, the following are not a**  
25 **public nuisance:**

26           (1) An action or condition that is expressly permitted by:

- 27           (A) a local ordinance;  
28           (B) state or federal law; or  
29           (C) a court order.

30           (2) The distribution or manufacturing of a product, unless the  
31 act of distribution or manufacturing the product creates a  
32 public nuisance.

33           **Sec. 3. (a) A public nuisance cause of action is available to a**  
34 **governmental entity if the unlawful condition is occurring within**  
35 **the jurisdiction of the governmental entity.**

36           **(b) Unless otherwise set forth in statute, a governmental entity**  
37 **may only bring a civil action concerning a public nuisance to seek**  
38 **prospective injunctive relief for abatement of the public nuisance.**

39           **(c) A governmental entity may not recover economic,**  
40 **noneconomic, or exemplary damages or costs associated with a**  
41 **potential future harm.**

42           **(d) A financial expenditure made by a governmental entity**



1       related to an:  
2           (1) injunction concerning an unlawful condition; or  
3           (2) effort to remediate an unlawful condition;  
4       does not establish a public nuisance cause of action.  
5       **Sec. 4. (a) A private person may only bring a public nuisance**  
6       **cause of action if an injury suffered by the private person is:**  
7           (1) proximately caused by the ongoing, unlawful condition;  
8           and  
9           (2) materially different from an injury suffered by another  
10       private person who has already filed a civil action related to  
11       the same public nuisance.  
12       **(b) A private person may seek the following in a cause of action**  
13       **brought under this section:**  
14           (1) Prospective injunctive relief for abatement of the public  
15       nuisance.  
16           (2) Compensatory damages.  
17           (c) Interference with the personal, spiritual, cultural, or  
18       emotional use of public land, air, or water cannot by itself establish  
19       a public nuisance cause of action under this section.  
20           (d) A financial expenditure made by a private person related to  
21       an:  
22           (1) injunction concerning an unlawful condition; or  
23           (2) effort to remediate an unlawful condition;  
24       does not establish a public nuisance cause of action.  
25       (e) The aggregation of:  
26           (1) multiple injuries; or  
27           (2) private nuisances;  
28       that are not considered a public nuisance individually do not  
29       constitute a public nuisance.  
30       **Sec. 5. Unless otherwise set forth in statute, it is an affirmative**  
31       **defense to a cause of action brought under this chapter that the**  
32       **defendant does not have actual control over the source of the**  
33       **alleged public nuisance.**  
34       **Sec. 6. This chapter applies to a cause of action filed on or after**  
35       **July 1, 2026.**  
36       SECTION 7. IC 34-12-4 IS ADDED TO THE INDIANA CODE AS  
37       A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
38       1, 2026]:  
39           **Chapter 4. Prohibited Legal Action Involving Crimes on Private**  
40           **Property**  
41           **Sec. 1. This chapter does not apply to a criminal act committed**  
42       **by an employee or an agent of a:**



- (1) person who owns or has an interest in land;**
  - (2) person who owns or operates a business;**
  - (3) third party business operator; or**
  - (4) property manager.**

**Sec. 2. (a) A person may not bring or maintain an action against**

a:

- (1) person who owns property for a criminal act committed by another person on the property;**
  - (2) person who owns a business for a criminal act committed by another person at the business; or**
  - (3) third party business operator who conducts business on any premises owned by another person for a criminal act committed by another person on premises owned by another person.**

(b) A person may not bring or maintain an action described in subsection (a) if the person was the individual who committed the criminal act.

SECTION 8. IC 34-51-1-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) As used in this section, "noneconomic damages" has the meaning set forth in IC 34-30-29.2-2.

**(b) A plaintiff may not recover noneconomic damages of more than one million dollars (\$1,000,000).**

**(c) A judge or jury must make a finding as to the following:**

**(1) Noneconomic damages without considering the limitation described in subsection (b).**

**(2) The percentage of fault of the claimant, of any defendant, and of any person who is a nonparty.**

**The court shall then multiply the percentage of fault assigned to each defendant by the amount of noneconomic damages found.**

(d) The court shall award the plaintiff noneconomic damages in the amount calculated under subsection (c). If the amount calculated is more than one million dollars (\$1,000,000), then the court shall reduce the noneconomic damages to one million dollars (\$1,000,000). If there is more than one (1) defendant, the court shall reduce the damages proportionally based upon the findings under subsection (c)(2) as to each defendant.

